G. R. S. IX-5]

Previous references.

File No. 86-18

1918. 9.

(PP)

Serial Nos. 173, 192

Later references.

Preserve
M. 20/12/14

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 173, 192.

Part B for March 1919

SUBJECT.

Measures to prevent the surreptitious export of Foodstuffs

Folder

W D 1250—GPB—30,000 - 28-1-19

G. R. S. III-1]

1918.

GENERAL AND REVENUE SECRETARIAT

(PP)

NOTES.

File No. 6618

FILE HEADING.

Prohibition of the export of
Cinchona bark

From

No.	Dated	Received

Diary No.]	Enclos.	Spare Copies.	[Serial No.

BRIEF ABSTRACT OF LETTERS.

NOTES AND ORDERS.

NOTES—First Sheet.

To, No. 2578.
7-2-19

REPLY.

(*To be written on this margin.*)

WD 243–GPB—2,000—2-8-18

I [illegible]

Office of the Dewan of Mysore.

NOTE.

Dated...7th..February.....*1919* .

.....

The diary of the Assistant Superintendent of Police, Davangere, with the Inspector General's marginal notes is forwarded to the Chief Secretary with compliments for putting the matter up immediately for orders. It is absolutely necessary that every precaution ~~sh~~ should be taken to prevent exports from the State and all outposts should be forthwith closed.

7.2.19

The Chief Secretary to Govt.

Please submit draft.

9/2/19

9/10/19

DIARY NO. 1358

CHIEF SECRETARIAT
POLITICAL BRANCH.
16 FEB. 1919

G. R. S. III-2]

General and Revenue Secretariat.

P. P File No. 66 of 1918.19

Serial No.	
	From the Dy C of P'cheri No S-1924/372 of 6-2-19 Submits an extract from the Diary of the Asst Supdt of P'cheri Davangere for week ending 13/1/19.
173	From the Dy Com²- Chittaroor No S.C. 478 of 8-2-19. Forwards a copy of his letter of 6th Feby 1919 to the Rev Com regards the food situation in his dist & requests orders with special reference to paras 13 & 14 thereof. The points on which orders are solicited by the Dy Com²- are:— (1) Offenders under the Defence of India Regs should be declared liable to arrest & the property attempted to be exported should be made liable to confiscation (2) The old restrictions for export of food grains ordered in G.O. No G 7822-26/P.P 107-18-42 of 29.10.18 may be revived & a fresh declaration of stocks called for hg 12/2/19

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 191

Serial No.

Regarding point no 2,
No action appears necessary in
view of the orders proposed to be
passed as a result of the discussion
held on the 10th Feb.

Regarding point no 1,
the questions for decision are
(1) whether offences under the
Defence of India Regulation
are Cognizable
(2) If so, whether the Police
can take action before the
sanction of the Govt or the
DC Magistrate referred to
in Rule 7, para 15 of the
Defence of India Regulation
and the Rules framed thereunder
is obtained
(3) whether prisons in respect of
which an offence is committed
can be Confiscated.

The Govt Advocate may
be Consulted
Chr/Secy

12/14/2/42

Yes. Please do so.

once ✱

15/2

1572

12/15/2

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat. | File No. | of 191

Serial No.

U.O 102-18.
of 17-2-19.

58954
F.S. Cell
18-2-1919

U.O. No. 74/18-19
18/2/1919

Forwarded with Compliments to the Government Advocate for favour of opinion.

By order
Acting Secretary to Govt.

17 Feb 1919

Answer to point (1).

Under Rule 3 B(d) of the Rules restrictions are placed on the Export of food grains etc and contravention of the rules providing for the controlling & restricting of such Exports of food grains is made punishable under rule 6 under which a period of imprisonment extending to 3 years is provided.

Under Schedule II of the Code of Criminal Procedure an offence under such a special law where imprisonment of 3 years & upwards is provided is liable to be arrested without a warrant (vide 3rd Column of Schedule II under the head, "Offences under other laws"). Such cases are therefore Cognizable.

Answer to Point (2).

Rule 7 places a limitation on

NOTE—Contn. sheet

Serial No.

on the powers of Courts, which can not take cognizance unless previous sanction has been obtained. But this restriction, in my opinion, does not place any limitations on the functions of the Police in taking cognizance of such cases.

Point 3. I am afraid grains seized cannot be confiscated. The Defence of India Act itself does not provide for rules being framed for confiscation. Power is reserved under section 2 (1) for providing for punishments.

I may add that under Rule 2 clause (j) the Government is empowered to make rules to provide for the arrest of persons contravening any rules made under that section and prescribing the duties of public servants and other persons in regard to such arrests.

To obviate all possible difficulties of a technical character I propose -

(1) that rules may be framed

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | File No. | of 191 .

Serial No.

providing future arrest of such persons - etc & laying down the duties of the Police in such cases - under Section 2 Clause (j)

~~(2)~~ The object which is sought to be secured by confiscation can be gained by imposing heavy fines in addition to imprisonments. This, of course, is a matter of judicial discretion.

Advocate Govt.
17/2/19

Submitted
Sd
17/2/19

NOTE—Contn. sheet.

59452

G.R.S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

GEN. O'FFICE
Ch Sects
21 FEB 1919

No. NO 105—18

DIARY NO. 9f 21/2/19

No. Nos 76/1918-19
21/2/1919.

There are some offences which are punishable with imprisonment for Six months and (Vide Rule 3 (b) (6) Forwarded with Compliments (Asst Secretary) WJ 20/2/19

Opinion

Under Schedule II if an offence made punishable under a Special or Local law is punishable with imprisonment for less than one year a with fine only, the accused charged with such an offence shall

N.B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

shall not be arrested
without warrant and
the Court before which such
offence is bound to issue
summons in the first
instance.

So as to under
Rule 3 B (b) which provides
for matters which are not
are non cognizable
cases. As the matter referred
to me in the previous
occasion related to questions
of Export of food grains
not questions of sale where
maximum prices are fixed,
I thought it was unnecessary
to refer to cases with 6 months
imprisonment provided under

Yours obediently
Govt. Advocate
21/2/19

Seen
by
22/2/19

Put up
Draft. in Appendix
with Ka for. Advocates
views
22/2/19

G. R. S. III-2.

General and Revenue Secretariat. | M. File No. 66 of 191 8

Serial No.

A draft is sued
leg
25/2/19
Chief Secy

26/2/19

In approval
Dewan

4917
26.2.19.

Effect is issued
Prices are enclosed

26/2/19

27/2/19

192 To

The Revenue
Secretary to Govt
Presidency Battalion
Municipality
Dy Comr Chitaldroog Dist
Dy Comr of other Dists

G.O no G. 18856 - 66 G 27/2/19
Invites the attention of the
D.C. Chitaldroog Dist to clause (1) of
para 2 of G.O no G. 17327-77 dated
18-28 G4. 2.19 as regards the revised

NOTE—Contn. sheet

G. R. S. HI-2,

General and Revenue Secretariat.

4250

A. File No. 66 of 191 8

Serial No.

States that infringement of Rules is made punishable with imprisonment which may extend to 3 years and such offenders may be arrested without a warrant and there is no provision in the Rules for the Confiscation of the grains attempted to be illegally exported but they may be commandeered if such action is considered desirable

B

HOME POLITICAL
6 MAR 1919

NOTE—Contn. sheet

13501

DIARY NO.....

No. S/192/372/1 Office of the Inspector General of Police in Mysore,

Dated Bangalore, 6th February 1919.

From

Mir Hamza Husein Esqr., B.A., B.L.,

Offg. Inspector General of Police in Mysore.

To

C. S. Balasundaram Iyer Esqr., B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Sir,

I have the honor to forward herewith for the information of Government an extract from the diary of the Assistant Superintendent of Police, Davangere, for the week ending 18th January 1919, with the remarks of the Deputy Commissioner, thereon.

I have the honor to be,

Sir,

Your most obedient servant,

Offg. Inspector General of Police.

57929

From

The Offg. Inspector General
of Police in Mysore.

To

The Chief Secretary to the
Government of Mysore.

Dated. 6th February 1919.

Despatched.

General No.

Forwarding an extract from the diary of the Assistant Superintendent of Police, Davangere, for the week ending 18th January 1919.

Diary of the Assistant Superintendent of Police, Davangere, for the week ending 18th January 1919.

Deputy Commissioner's remarks.

So long as the plus and minus statements had been got ready, and there was absolutely no difficulty in the case of any village in the matter of securing grains, and the situation was well under control, the old rules and orders might have been allowed to remain intact, at least for Davangere and Harihar, if not for the whole District. The relaxations have brought into existence all the old evils again and unscrupulous persons have again begun to profiteer. I am addressing Government in the matter.

Sd/- Md. Zahiruddin Mecci.
Deputy Commissioner,
Chitaldrug District.

Note:-- In my enquiry and from hearing the conditions of crops and harvests in British limits, the rates under which the grains are being sold; it looks as if the famine is going to begin hereafter and the surreptitious removs will increase.

Since the grain relaxation order dated 1-1-19 frontier villagers who were not buying much are now securing as much as possible, looks as if they are intending to make a trade of it.

It will be hard if frontier villagers sta smuggling and even four times more Police may not be able to prevent, unless (restrictions in sales in transport, in licensing the town merchants in supplying the villagers who do not bring the chit from the Patel as a deserving person and the quantity each person to take.) these restrictions are not enforced into three taluks, sure to be shortage of grains during this year.

x x x x

Sd/- B. Abdul Gani,
Asst. Superintendent of Police.

Exhaet.

Offg. Inspector General of Police.

Diary of the Assistant Superintendent of Police, Davangere, for week ending 11th January 1919.

5th - Last night informants Rudan Sab and Kambanna furnished information to say that some 30 or 40 people of British limits have arranged to remove Cholum from a certain house. Immediately I arranged a police party and laid in wait near the house in Barr line road. At about 11 P.M. one Hanumantappa opened the lock of the house and allowed some people of Irani and Mallapur (British) to remove the bundles which they had stocked in the house.

We raided as soon as the people got into the house and stopped all except one, who left the bundle and ran away.

Details - The residents of Mallapur and Irani came to Davangere town on the 4th afternoon, arranged to purchase Cholum at the rate of Rs.11-4-0per palla with one Mallappa a merchant and shop keeper in the Town, paid money at the shop in the afternoon for 13 pallas of Cholam. Late in the evening after 6 P.M. the measuring took place surreptitiously in the house, 37 bundles were tied up and were left in the same house. Mallappa did not go to the house, but sent Hanumantappa, his gumasta and two Hammals to measure the grains. At about 11 P.M. the seller went to allow and the people wanted to remove the grains, stealthily, when the Police caught all but one who leaving the bundle ran away.

A mahazar was drawn up and the 37

This was a smart capture, and the Police deserve much credit.

It is feared that owing to the recent relaxations, the old methods of surreptitious exports of grain have been revived. My enquiries in the course of the inspection of the out-posts and ookads and the frontier villages show that several unscrupulous merchants have actually engaged coolies to carry head loads of grains, to dispose of the same by sale! The Govt. Orders make it unnecessary for any person to have a pass to transport grain from one village to another within 10 miles of the frontier, so long as the quantity is not more than a palla. This has opened a wide door for unscrupulous persons to smuggle grain to frontier villages for purposes of export. Obviously this would defy the best efforts of the Police to prevent surreptitious exports.

The merchants are jubilant over the relaxation, and the old conditions have been restored. I am addressing Government that the old rules of 15 seers per man is the only way to put a stop to these practices.

Id/ Md. Z.M

bundles were seized. After completing some enquiry, I will submit the records to the District Magistrate to secure orders to prosecute the persons concerned.

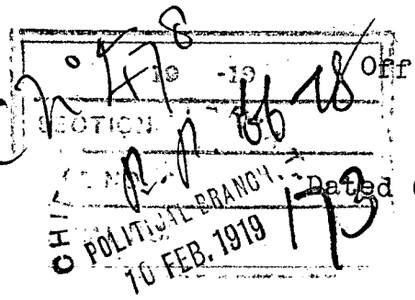
x x x x

Sd/ B. Abdul Gani,
Asst. Supt. of Police.

E x t r a c t.

Inspector General of Police.

DIARY NO. 13168



Office of the Deputy Commissioner,
Chitaldrug District.

Dated Chitaldrug, 8th February 1919.

From

M. Zahiruddin Mecci Esquire B.A
Offg: Deputy Commissioner,
58033 CHITALDRUG.

To

C. S. Balasundaram Iyer Esquire B.A
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

Sir,

I have the honor to forwardherewith copy of my letter No. S.C. 478 dated 6th instant addressed to the Revenue Commissioner in Mysore on the subject of food situation in this District and to invite favor of your special reference to paras 13 and 14 thereof in the matter of the order of some early changes in the law as applicable to the offences against export of grains &c.

I have the honor to be,
SIR,
Your mostobedient servant,

Offg: Deputy Commissioner,
Chitaldrug District

S.V.

8(1)2278

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 6th February 1919

From

M. Zahiruddin Mecci Esquire B.A.,
Offg: Deputy Commissioner,
C H I T A L D R U G.

To

K R. Srinivasiengar Esquire M.A.
Revenue Commissioner in Mysore,
B A N G A L O R E.

Sir,

With reference to Government order No.G.12920-70/PP 134-18-158 C dated 1st January 1919 doing away with the restrictions against transport of food grains by road within the State except in the case of villages situated within 10 miles of the British border I beg to state that it is clear from this that 1stly a man can on a number of pleas take any quantity of grains to frontier villages, many of which are only a few yards from the British frontier, irrespective of the fact whether such large imports are warranted or not by the requirements of such villages and 2ndly a man can transport such grains from such villages by road without any restriction so long as the quantity he is so transporting does not exceed one palla (paddy 2 pallas) at a time. With due deference I beg to submit that these relaxations have opened a very wide door for surreptitious exports and nothing is better calculated than this to frustrate the best efforts of the frontier Patrol Police which the Government were pleased to sanction only lately.

2. In this connection I beg to invite reference to my letter No.S.C.713 dated 2nd September 1918 more especially to paras 7 and 8 thereof, where I have tried to explain the abnormal conditions prevailing in the District, owing to the unrestricted imports of grain from the various Taluks into Davangere and Harihar which enabled unauthorised exports to British Territory, to counter

which I had also submitted for orders, among others, certain suggestions including the prescribing of certain registers to be maintained by all merchants dealing with food grains. In my subsequert communications Nos. S.C. 713 dated 28th September 1918, 10th October 1918 and 12th October 1918, I have tried to explain the methods adopted by people in British Territories for the export of grain from these 2 towns.

3. I beg to state that all these evils have revived in all their vigour since the relaxation recently ordered by Government. In fact the presence of railway stations in British limits within easy reach of the Chitaldrug frontier e,g, Challagere (6 miles from Harihar), Kottur 15 miles from the Jagalur frontier, Rayadrug (6 miles from Molakalmuru) has been serving as a further incentive to smugglers of food grains.

4. You are aware that in order to obtain a modification of the rule (vide para 5 of Circular Instructions Government Official Memorandum No.4013-23/PP.66-18-8 dated 24th August 1918) that no license was required for the transport of controlled articles to outside the State, to the extent of one palla, at a time, I had to make several representations explaining the peculiar conditions obtaining in the District, facilitating unauthorised export, and this view was also supported by the Director of Civil Supplies (vide copy of his letter No.3531 dated 17th October 1918 to the Chief Secretary to Government enclosed). Though the Government were pleased to notify in their order No.G.7822-26/PP.107-18-42 dated 29th October 1918 that the maximum quantity of food grains that can be exported without a license from Davangere will be reduced to 15 seers instead of 1 palla and that licenses should be taken for the removal thereof from Davangere to all places whether within or outside the State, yet the order was made applicable only to Davangere and not even to Harihar, though I had proposed in para 11 of my letter S.C. 713 dated 10th October 1918 that it was necessary to apply this to the whole District. On receipt of the Government order I again addressed the Director of Civil Supplies on 8th

November 1918 inviting his attention to the above, and on his writing to me that I should address the Food Controller in the matter. I addressed this latter Officer also in my No.S.C. 713 dated 18/25th November 1918

5. While matters stood thus and I was awaiting the result of the action taken by the Food Controller, the Government by their order No.G.8450-512/PP.134-18-1 dated 11th November 1918 authorise the Deputy Commissioners to issue notification under the Defence India Regulation, calling for a declaration of stocks from persons in the respective areas. As the Government in their notification No.G.9337/PP.134-18-21 dated 23rd November 1918 placed further restrictions on the transport and sale of controlled articles of food grains within the State, and as this went a great way in producing the desired effect, in the prevention of unauthorised exports, no further communication was considered necessary on the subject. I may state in this connection that these rules and regulations at once tended to bring the food situation under effective control, and the supplies were coming freely to the market, as is apparent from the fact of the only two cases of commandeering operations resorted to in the District viz one in Davangere and the other in Harihar. Neither the consumer nor the producer so far as I know had any ground for complaint and matters were settling down quietly.

6. The Government notification calling upon stock holders to make a return of their stocks had tended to give a further stability to the food situation, for in spite of the fact that in a large majority of cases, the stock returns were not correct and stock holders had, as shown in the course of my personal enquiries, tried to conceal their stocks under various mistaken notions, still there was some sort of data which could be acted upon with a degree of certainty, not only for purposes of commandeering but also to ascertain our exact position with reference to the food situation Had some effective steps been taken to check and verify these

opinion that the stock of food grains would in all much more
have been found to be more than what had actually been
and the supply of food grain would thus have become assured
actually transpired, the Food Inspectors who had mostly
selected from other departments, could not, owing to the
difficulties that had necessarily to be gone through in some cases
even till the stock taking operations had actually been completed,
while some of them had hardly entered on their duties, when as per
orders they had to hand over charge and revert to their permanent
places!

7. In pursuance of the Government notification calling for a
declaration of stocks due provision had been made here in the form issued
for the purpose, to ascertain the exact number of dependents on the
stock holders, so that there would have been no difficulty in
ascertaining the wants of each village, and drawing up the plus and
minus statements required to regulate the supplies. In fact in
devising the form, the instructions of Government to give effect to
a system of rationing in towns were also kept in view, so that in
the fulness of time the plus-and-minus-village-scheme would have
been in full working order and the rationing in towns would have
also come into effect. In fact, though as per recent Government
orders, wholesale and retail licenses have had to be issued to a
number of merchants in the several towns and villages, still they
have not quite been successful and the merchants have for reasons
of their own not been very helpful in the matter of procuring
supplies. It has been common experience, that the supplies thus
managed by local officers to be got to the shandies being limited, and owing to vague
fears that supplies may not be regular, people in their eagerness to
buy up as much grain as possible used to rush to the place of sale,
and as a result, while some would manage to get more than a week's
supply, others who used to be elbowed out very often went without
any grain, themethods adopted in Davangere to meet such an emergency
wre explained to the Amildars concerned and in adopting these
measures the ticket system also came to be enforced and in some

Taluks still continues to be working with beneficial results.

8. It was while matters stood thus that Government were pleased to issue order No.G.12920-70/PP.134-18-155 dated 1st January 1919 rescinding rule 2 of the Rules referred to above, and directing that no restrictions be placed on the movement of food grains by road, from one place to another within the State, except in respect of villages situated within 10 miles of the British border, which required the Taluk Amildar's permission for the transport of grain in excess of 1 palla from them by road. This order which apparently was meant to create facilities for the stock holders and the merchants in the matter of the sale of food grains, has on the contrary been made use of by unscrupulous persons for surreptitious exports by various devices. The restrictions regarding villages within 10 miles of the British border are applicable only to exports from them and not to imports into them, and thus large quantities of grain are being transported and stocked in these villages on various pretexts, without in any way infringing the rules, with a view to their surreptitious exports into British Territory at the convenience of those interested in such tactics. It is a point for consideration as to why there should be such large imports into frontier villages where, as per stock returns actually declared, there is more than ample for the needs of such villages. The only possible explanation is that these are meant not for bona fide local consumption but for exports. I need not say that the Frontier Patrol Police are doing their best to prevent such exports and the large number of persons that are being caught every day with bundles of grain, goes to confirm my view, that the foreign merchants are unusually brisk in their nefarious operations, taking undue advantage of the relaxations recently ordered. In fact I have information that some merchants in British Territory, have again begun to engage coolies to bring head loads of grains for them for the purpose of sales which fetch them 40 to 50% profit in those parts. The part that was once being played by Davangere and Harihar is now being played by

almost every villag frontier, and there is a grave risk tha unless the old restrictions are revived and made applicable to the whole District, people here, may have to face a situation much worse than they have ever experienced.

9. The relaxations referred to, ordered so soon after the sanction of the frontier Police, has practically nullified the intentions with which they were sanctioned, It might as well be doubted if with these relaxations any police patrol would be effective, unless the men were posted in a regular cordon all round the frontier within sight of each other, with regular shifts day and night.

10. The free and unrestricted transport of grains from one part f the State to another, has only rendered more extensive the field for smugglers, who manage to take the grain to such villages ituated on the frontier of such Districts as suits them best. It is ignificant that while no rice is available for the markets at hitaldrug not even for the rice growing centre of Challakere itself scores of carts laden with rice from Challakere are being daily taken to the rice growing District of Shimoga!! As per Government orders in question there is absolutely no power to question such a transport, however much may be the suffering in the Taluk or District actually growing the grain. The high prices which such people are readily paying, - of course on the sly, - have not only rendered the maximum prices fixed by Government a mere dead letter, but the good intentions of Government in the matter of the relaxations have been practically nullified, and people even in the ragi and rice growing centres are actually clamouring for want of these grains!

11. In spite of the free issue of licenses for the sale of food grains, the merchants do not somehow seem to be moving even their little finger in the matter, and their stock excuse has been that they are unable to procure any stocks for the market! While this is partly said to be due to the desire of stock holders to hoard up for future contingencies, owing to the unfavorable condition of the new

crops, it seems much more to be due to the high prices that outsiders seem to be offering for such grains, far above the prescribed rates.

12. It is a matter of great concern that the hinger jola crop which gave great promise as it was coming up, has turned out to a practical failure, owing to its having been denied the benefit of more showers, and even of the usual dew, which seems to be essential for its success. The ragi crop has also been a miserable failure The conditions on the other side of the frontier continue to be as bad as before so much so, that merchants who employ coolies to smuggle head loads of grains, can still hope to make 50% profit. Such being the conditions obtaining on the 2 sides of the frontier line, the temptations that the present relaxations of afford to unscrupulous persons can better be imagined than The large number of retail licenses that have been issued in Davangere and Harihar but all over the District, has also afforded further facilities for surreptitious exports means of such head loads, as there is practically no checkover sales effected by them. It is interesting to note that dozens of persons have been caught by the frontier Police with such bundles, their number at one time being no less than 36, and the quantity in the possession of these individual smugglers ranging from 20 to 300 seers. An idea can be formed of the conditions prevailing in these parts from the fact, that in one case, a man was caught smuggling 24½ seers of grain covered up with cotton seeds in a bag!!

13. I also beg to bring to notice that the law as it stands does not seem to be quite effective in deterring people from such nefarious practices. As no summary powers have been given to deal with such offenders, who cannot also be arrested, it is clear that the culprits cannot promptly be brought to conviction as the offences are not extraditable. This aspect of the question also deserves very early consideration. The property attempted to be exported should be made liable

by me. It also

liable to arrest for this offence. The consequence of sucha state of the existing law has however been, that while prosecutions have been ordered in almost all the cases, it has not been possible to get the culprits to answer the charges against them, and the orders for prosecution have not been of much us

14. For the foregoing reasons I would strongly urge, 1stly, that Government might be pleased to issue orders reviving the old restrictions and calling for a fresh declaration of stocks so that if it should meet with kind approval, the supplies may be regulated on the plus and minus system, the only relaxation being, if any should be considered desirable, that quantities less than 15 seers eed not require a pass.

2ndly, If this should in any way be considered not desirable, would request that this may at least be ordered to be enforced in ll villages within 10 miles of the frontier, ~~which~~ while as regards the est of the District, transport of the food grains may be ~~fully~~ freely llowed to the shandies, on triplicate (carbon paper) permits to be ssued by the patels or Presidents of the Village Committees, the ther two being sent to the shekdar of the Hobli, one for file with im and the other to be forwarded to the Taluk office. The Shekdar ight visit the shandies each week, as is now being done, to watch he food situation and regulate the supplies.

3rdly, Offenders under the Act be declared liable to arrest, if o summary powers are to be exercised with reference to such ffences.

have the honor to be,

S I R,

Your most obedient servant,

) Md. Zahiruddin Mecci

Offg: Deputy Commissioner,

Chitaldrug District.

S.V.

Copy

Dy Commissioner

Letter No.3531 dated 17th October 1918 from the Director of Civil Supplies in Mysore to the Chief Secretary to Government, Bangalore.

With reference to your letter No.6862/PP.107-18-16 dated 3-10-1918 I have the honor to state that the Inspector General of Police and myself visited Davangere on the 1st instant and had a long consultation with the Deputy Commissioner, Chitaldrug District and the merchants of Davangere requesting their advice as to the best manner in which the evils complained of by the Deputy Commissioner may be put an end to. The troubles rererred to by the Deputy Commissioner chiefly arise from the fact that in consequence of the comparative cheapness of ragi and other food grains in Davangere as against the prices prevailing in the bordering Districts of the Bombay Presidency a large number of people from across the border resort to the shandies held in Davangere and Harihar once a week and that surreptitious exports of food grains are being constantly made from villages on the border with the help of stocks ostensibly taken into them for local consumption.

2. The Deputy Commissioner considers that the orders of Government No. G.4013-23/PP.66-18=8 dated 24-8-1918 permitting the export up to a limit of one palla of food grains without a license should be modified and that the quantity allowed free of permits should not in any case exceed 15 seers. It will be observed from page 4 of the letter of the Deputy Commissioner's letter No.S.C.713/18-19 dated 10-10-1918 enclosed herein, merchants in the Bombay Presidency are engaging a number of men to go to the shandy at Davangere once a week and to bring in as much as will be allowed to be purchased by each one of them in order that they may make a profit on th total quantity that is thus obtained. This is a flagrant evasion of the order of prohibition and should be immediately put an end to. Both the Inspector General of Police and myself consider that the suggestions of the Deputy Commissioner in regard to the modification of the rule as to minimum quantit may be approved.

3. In order to avoid surreptitious exports from villages on the border with the help of stocks ostensibly taken into them for local consumption the Inspector General of Police, the Deputy Commissioner and myself consider that it is necessary owing to the peculiar circumstances of the case to insist on licenses for removal of controlled food grains from Davangere to all places whether inside the State or not. If the exports by road from Davangere are controlled in the manner in which exports by rail have be

trolled, accumulation of stocks into villages on the border will be prevented. This will necessitate the establishment of Ookads at 6 places i,e, on all roads leading out of Davangere. There are already 4 Ookads established in Davangere and in addition of 2 more will be required. The Ookads have already been started with the assistance of men of the special Police reserve located at Davangere by the Inspector General of Police.

4. The establishment of a Police Patrol Party under the supervision of an Assistant Superintendent of Police stationed at Davangere has already been recommended in my letter No.C.14 dated 25th September 1918. The Inspector General of Police, the Deputy Commissioner and myself consider that it is absolutely essential to have a patrol party in view of the fact that the Mysore boundary to the north of Harihar passes across [illegible] level country and that carts can cross the boundary line almost at any pla they may select. And in the parts where the Tungabhadra forms the dividing line the deficiency in rains is soon expected to render it easily fordable and afford equal facilities for smuggling across the border. In case a patrol party is sanctioned it will probably be advantageous in order to secure unitv of control to leave the Ookads in charge of the Assistant Superintendent of Police, the returns required by the rules being sent to this office as usual. The Inspector General of Police has no objection to this arrangement.

5. The Deputy Commissioner in his letter No.C.7 dated 10-10-1918 states that according to the return furnished by merchants the latest statistics of the stock of food grains in Davangere consists of 8393 bags of ragi,6234 bags of rice, 1577 bags of paddy and 9034 bags of jawari. The entire stock of food grains weighing about 2046 tons will probably be sufficient to meet the wants of the people of Davangere for about a year I enclose for the information of Government copy of my letter to the Dep Commissioner on the subject. It will however be necessary to export a portion of the stock collected at Davangere into the Bombay Presidency in satisfaction of the agreement of Government to release a portion of the purchases of food grains effected by Bombay merchants in the Mysore Stat The Deputy Commissioner agrees with me in considering that jawari may be released in preference to other food grains in view of the fact that it not in as large a demand as before among the poorer classes owing to its high price. Exclusive of jawari the stock of other grains weighs about

K270 tons and is estimated to last the population of Davangere about (11000 people) for 7 months. Even assuming that the number of people residing in the outlying villages dependent on Davangere for food supplies are about equal in number to the inhabitants of the town the stock is sufficient to last till the next harvest. I should therefore suggest that the distribution of this grain should be rigidly reserved to the local population under a system of tickets. The distribution may be effected through depots started on a plan similar to Bangalore and Mysore. I have requested the Deputy Commisioner to start the system of issuing tickets at once.

6. As the stocks accumulated in Davangere have been mostly purchased for export to Bombay it will probably be necessary to place some money at the disposal of the Deputy Commissioner to buy such portion of the stock as may be required to start operations at once. The money may be treated as an advance for periodical purchases of food grains fresh purchases being effected by means of money realised on sale of stock in hand, the whole transaction not involving Government in any loss except the loss of interes I shall address Government regarding the amount required after consulting the Deputy Commissioner.

7. I am also of opinion that in addition to the adoption of a system of rationing food grains among the people it is necessary to take measures to discourage the weekly influx of large numbers of people from parts of th Bombay Presidency into Davangere and Harihar. This cannot be stopped unless the shandies are temporarily directed to be closed. As food grains will so through depots which will be kept open every day the local people will not be inconvenienced if the weekly shandies are temporarily suspended. I beg submit that necessary orders on the matter may be issued early.

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"C O P Y."

Offg: Deputy Commissioner

Chitaldrug District.

S.V.

14260

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

No. 7C205 [illegible]

Bangalore, 14th February 1919.

FROM

K.R. Srinivasiengar, Esquire, M...,

Revenue Commissioner in Mysore.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
~~Department~~

SIR,

I have the honour to submit herewith, for the information of Government, a copy of letter No.S.C.478 dated the 6th February 1919 from the Deputy Commissioner, Chitaldrug District, suggesting the adoption of certain measures to ease the food situation in his District and of my reply thereto.

.....

I have the honour to be,

S i r,

Your most obedient servant,

Revenue Commissioner.

B.R.

R. C. 4

58947

From

The *Revenue Commissioner in Mysore.*

To Chief
The Secretary to the Government of
H. H. the Maharaja of Mysore,
~~xxDepartment.~~

Dated 14th February 1919.

Despatched 17.

Received

General No. 7e 2.05

Enclosure No. One

SUBJECT.

Suggesting the adoption of certain measures to ease the food situation in Chitaldrug District.

Letter No.478 dated 6th February 1919 from the Deputy Commissioner, Chitaldrug District, to the Revenue Commissioner in Mysore, Bangalore.

With reference to Government Order No.G.12920-70/P.P. 134-18-158 dated 1st January 1919 doing away with the restrictions against transport of food grains by road within the State except in the case of villages situated within 10 miles of the British border, I beg to state that it is clear from this that 1stly a man can on a number of pleas take any quantity of grains to frontier villages, many of which are only a few yards from the British frontier, irrespective of the fact whether such large imports are warranted or not by the requirements of such villages, and 2ndly a man can transport such grains from such villages by road without any restriction so long as the quantity he is so transporting does not exceed one palla (paddy 2 pallas) at a time. With due deference I beg to submit that these relaxations have opened a very wide door for surreptitious exports and nothing is better calculated than this to frustrate the best efforts of the frontier Patrol Police which the Government were pleased to sanction only lately.

2. In this connection I beg to invite reference to my letter No.S.C.713 dated 2nd September 1918 more especially to paras 7 and 8 thereof, where I have tried to explain the abnormal conditions prevailing in the District, owing to the unrestricted imports of grain from the various Taluks into Davangere and Harihar which enabled unauthorised exports to British Territory, to counteract which I had also submitted for orders, among others, certain suggestions including the prescribing of certain registers to be maintained by all merchants dealing with food grains. In my subsequent communications Nos.S.C.713 dated 28th September 1918, 10th October 1918 and 12th Octbber 1918, I have tried to explain the methods adopted by people in British

Territories

Territories for the export of grain from these 2 towns.

3. I beg to state that all these evils have revived in all their vigour since the relaxation recently ordered by Government. In fact the presence of railway stations in British limits within easy reach of the Chitaldrug frontier e,g, Challakere (6 miles from Harihar), Kottur 15 miles from the Jagalur frontier, Rayadrug (6 miles from Molakalmuru) has been serving as a further incentive to smugglers of food grains.

4. You are aware that in order to obtain a modification of the rule (vide para 5 of Circular Instructions Government Official Memorandum No.4013-23/P.P.66-18-8 dated 24th August 1918) that no license was required for the transport of controlled articles to outside the State, to the extent of one palla, at a time, I had to make several representations explaining the peculiar conditions obtaining in the District, facilitating unauthorised export, and this view was also supported by the Director of Civil Supplies (vide copy of his letter No.3531 dated 17th October 1918 to the Chief Secretary to Government enclosed). Though the Government were pleased to notify in their order No.G.7822-26/P.P.107-18-42 dated 29th October 1918 that the maximum quantity of food grains that can be exported without a license from Davangere will be reduced to 15 seers instead of 1 palla and that licenses should be taken for the removal thereof from Davangere to all places whether within or outside the State, yet the order was made applicable only to Davangere and not even to Harihar, though I had proposed in para 11 of my letter S.C.713 dated 10th October 1918 that it was necessary to apply this to the whole District. On receipt of the Government order I again addressed the Director of Civil Supplies on 8th November 1918 inviting his attention to the above, and on his writing to me that I should address the Food Controller in the matter, I addressed this latter Officer also

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in my No.S.C.713 dated 18/25th November 1918.

5. While matters stood thus and I was awaiting the result of the action taken by the Food Controller, the Government by their order No.G.8450-512/P.P.134-18-1 dated 11th November 1918 authorised the Deputy Commissioners to issue notification under the Defence of India Regulation, calling for a declaration of stocks from persons in the respective areas. As the Government in their notification No.G.9337-P.P.134-18-21 dated 23rd November 1918 placed further restrictions on the transport and sale of controlled articles of food grains within the State, and as this went a great way in producing the desired effect, in the prevention of unauthorised exports, no further communication was considered necessary on the subject. I may state in this connection that these rules and regulations at once tended to bring the food situation under effective control, and the supplies were coming freely to the market, as is apparent from the fact of the only two cases of commandeering operations resorted to in the District viz., one in Davangere and the other in Harihar. Neither the consumer nor the producer so far as I know had any ground for complaint and matters were settling down quietly.

6. The Government notification calling upon stock holders to make a return of their stocks had tended to give a further stability to the food situation for in spite of the fact that in a large majority of cases, the stock returns were not correct and stock holders had, as shown in the course of my personal enquiries, tried to conceal their stocks under various mistaken notions, still there was some sort of data which could be acted upon with a degree of certainty, not only for purposes of commandeering but also to ascertain our exact position with reference to the food situation. Had some effective steps been taken to check and verify these returns I am of opinion that the stock of food grains would in all probability have

been

been found to be much more than what had actually been declared and the supply of food grain would thus have become assured. But as it actually transpired, the Food Inspectors who had mostly to be selected from other Departments, could not, owing to the formalities that had necessarily to be gone through, in some cases join till the stock taking operations had actually been completed, while some of them had hardly entered on their duties, when as per orders they had to hand over charge and revert to their permanent places.

7. In pursuance of the Government notification calling for a declaration of stocks due provision had been made here in the form issued for the purpose, to ascertain the exact number of dependents on the stock holders, so that there would have been no difficulty in ascertaining the wants of each village, and drawing up the plus and minus statements required to regulate the supplies. In fact in devising the form, the instructions of Government to give effect to a system of rationing in towns were also kept in view, so that in the fulness of time the plus-and minus-village-scheme would have been in full working order and the rationing in towns would have also come into effect. In fact, though as per recent Government orders, wholesale and retail licenses have had to be issued to a number of merchants in the several towns and villages, still they have not quite been successful, and the merchants have for reasons of their own not been very helpful in the matter of procuring supplies. It has been common experience, that the supplies managed by local officers to be got to the shandies being limited, and owing to vague fears that supplies may not be regular, people in their eagerness to buy up as much grain as possible, used to rush to the place of sale, and as a result, while some would manage to get more than a week's supply, others who used to be elbowed out, very often went without any grain, the methods adopted in Davangere to meet such an emergency

were

were explained to the Amildars concerned, and in adopting these measures the ticket system also came to be enforced, and in some Taluks still continues to be working with beneficial results.

8. It was while matters stood thus that Government were pleased to issue order No.G.12920-70/P.P.134-18-155 dated 1st January 1919 rescinding rule 2 of the Rules referred to above, and directing that no restrictions be placed on the movement of food grains by road, from one place to another within the State, except in respect of villages situated within 10 miles of the British border, which required the Taluk Amildar's permission for the transport of grain in excess of 1 palla from them by road. This order which apparently was meant to create facilities for the stock holders, and the merchants in the matter of the sale of food grains, has, on the contrary been made use of by unscrupulous persons for surreptitious exports by various devices. The restrictions regarding villages within 10 miles of the British border are applicable only to exports from them, and not to imports into them, and thus large quantities of grain are being transported and stocked in these villages on various pretexts, without in any way infringing the rules, with a view to their surreptitious exports into British Territory at the convenience of those interested in such tactic It is a point for consideration as to why there should be such large imports into frontier villages where, as per stock return actually declared, there is more than ample for the needs of such villages. The only possible explanation is that these are meant not for bona fide local consumption but for exports. I need not say that the Frontier Patrol Police are doing their best to prevent such exports and the large number of persons that are being caught every day with bundles of grain, goes to confirm my view, that the foreign merchants are unusually brisk in their nefarious operations, taking undue advantage of the relaxations recently ordered. In fact I have information that

some

some merchants in British Territory, have again begun to engage coolies to bring head loads of grains for them for the purpose of sales which fetch them 40 to 50% profit in those parts. The part that was once being played by Davangere and Harihar is now being played by almost every village on the frontier, and there is a grave risk that unless the old restrictions are revived and made applicable to the whole District, people here, may have to face a situation much worse than they have ever experienced.

9. The relaxations referred to, ordered so soon after the sanction of the frontier Police, has practically nullified the intentions with which they were sanctioned. It might as well be doubted if with these relaxations any police patrol would be effective, unless the men were posted in a regular cordon all round the frontier within sight of each other, with regular shifts day and nights.

10. The free and unrestricted transport of grains from one part of the State to another, has only rendered more extensive the field for smugglers, who manage to take the grain to such villages situated on the frontier of such Districts as suits them best. It is significant that while no rice is available for the markets at Chitaldrug not even for the rice growing centre of Challakere itself, scores of carts laden with rice ~~xxxx

and people even in the ragi and rice growing centres are actually clamouring for want of these grains!

11. In spite of the free issue of licenses for the sale of food grains, the merchants do not somehow seem to be moving even their little finger in the matter, and their stock excuse has been that they are unable to procure any stocks for the market! While this is partly said to be due to the desire of stock holders to hoard up for future contingencies, owing to the unfavourable condition of the new crops, it seems much more to be due to the high prices that outsiders seem to be offering for such grains, far above the prescribed rates.

12. It is a matter of great concern that the hingar jola crop which gave great promise as it was coming up, has turned out to be a practical failure, owing to its having been denied the benefit of one more shower, and even of the usual dew, which seems to be essential for its success. The ragi crop has also been a miserable failure. The conditions on the other side of the frontier continue to be as bad as before, so much so, that merchants who employ coolies to smuggle head loads of grains, can still hope to make 50% profit. Such being the conditions obtaining on the 2 sides of the frontier line, the temptations that the present relaxations of the rules afford to unscrupulous persons can better be imagined than described! The large number of retail licenses that have been issued, not only in Davangere and Harihar but all over the District, has also been affording further facilities for surreptitious exports, by means of such head loads, as there is practically no check over the sales effected by them. It is interesting to note that dozens of persons have been caught by the frontier Police with such bundles, their number at one time being no less than 36, and the quantity in the possession or these individual smugglers ranging from 20 to 300 seers. An idea can be formed of the

conditions

conditions prevailing in those parts from the fact, that in one case, a man was caught smuggling 24½ seers of grain covered up with cotton seeds in a bag!

13. I also beg to bring to notice that the law as it stands does not seem to be quite effective in deterring people from such nefarious practices. As no summary powers have been given to deal with such offenders, who cannot also be arrested, it is clear that the culprits cannot promptly be brought to conviction, as the offences are not extraditable. This aspect of the question also deserves very early consideration. The property attempted to be so exported should be made liable to confiscation as already proposed by me. It also seems necessary at least to make the offenders liable to arrest for this offence. The consequence of such a state of the existing law has however been, that while prosecutions have been ordered in almost all the cases, it has not been possible to get the culprits to answer the charges against them, and the orders for prosecution have not been of much use.

14. For the foregoing reasons I would strongly urge, lstly, that Government might be pleased to issue orders reviving the old restrictions, and calling for a fresh declaration of stocks, so that if it should meet with kind approval, the supplies may be regulated on the plus and minus system, the only relaxation being, if any should be considered desirable, that quantities less than 15 seers need not require a pass.

2ndly, If this should in any way be considered not desirable, I would request that this may at least be ordered to be enforced in all villages within 10 miles of the frontier, while as regards the rest of the District, transport of the food grains may be freely allowed to the shandies, on triplicate

(carbon paper)

(carbon paper) permits to be issued by the Patels or Presidents of the Village Committees, the other two being sent to the Sheikdar of the Hobli, one for file with him and the other to be forwarded to the Taluk Office. The Sheikdar might visit the shandies each week, as is now being done, to watch the food situation and regulate the supplies.

3rdly, Offenders under the Act be declared liable to arrest. if no summary powers are to be exercised with reference to such offences

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" C o p y "

For Revenue Commissioner.

B.R.

Letter No.F.C.205 dated 14th February 1919 from the Revenue Commissioner in Mysore, to the Deputy Commissioner, Chitaldrug District.

With reference to your letter No.S.C.478 dated the 6th February 1919 suggesting the adoption of certain measures to ease the food situation in the District, I have the honour to state as follows:--

Regarding the revival of restrictions for the transport of food grains by road from one place to another, the restrictions having been relaxed by Government after a due consideration of all the pros and cons of the case, I regret that I am not prepared to recommend to Government for a revival of the restrictions.

2. The remedy for undue accumulation of stock in frontie villages with a view to their stealthy removal beyond the border is quite easy and it lies in preventing such accumulation of stock in these villages. When such accumulation is brought to notice, it should be forthwith commandeered and utilised for supply to the other parts of the District. If any additional establishment is required for this purpose, proposals may be submitted in this behalf.

3. As regards the proposal to declare the offenders under the Defence of India Regulation liable to arrest, it will be seen from the Schedule to the Criminal Procedure Code that all offences under special and local laws which are punishable with imprisonment of three years and upwards are cognisable and non-bailable. The offence of transport of grain without a license being punishable under the Defence of India Regulation with imprisonment for three years, it falls under the above provision of the law and no special orders of Government are necessary in this respect.

C o p y "

For Revenue Commissioner

B.R.

P.P. 66-18
Serial 197

Proceedings of the Government of H.H.
the Maharaja of Mysore.

Read:-

Letter No. S.C. 478, dated the 8th February 1919, from the Deputy Commissioner, Chitaldrug District, forwarding a copy of his letter dated the 6th idem to the Revenue Commissioner on the subject of the food situation in his district and soliciting orders with reference to paras 13 and 14 thereof..

2. Letter No. F.C. 205, dated the 14/17th February 1919, from the Revenue Commissioner in Mysore, forwarding a copy of his reply to the Deputy Commissioner on the subject.

Order:-

The Deputy Commissioner makes the following suggestions:--

(1) that the restrictions for the transport and sale of food grains should be revived and that if it is not possible to do so, the restrictions may be enforced in areas situated within ten miles of the British frontier, and

(2) that offenders under the Defence of India Act should be declared liable to arrest and that the property attempted to be exported without license should be made liable to confiscation.

2. As regards the first point the attention of the Deputy Commissioner is invited to clause (1) of para 2 of G.O. No. G. 17327-77/P.P. 134-18-286, dated the 14th Feb. 1919. Government do not consider it desirable to revive the restrictions referred to - sufficient safeguards having been provided in

the order against surreptitious exports from the 10 miles area referred to.

3. Regarding the second point, Government observe that under schedule II of the Code of Criminal Procedure an offender under a special law where imprisonment of 3 years or upwards is provided, is liable to be arrested without a warrant. Infringement of the rules restricting the exports of food grains is made punishable under rule 6 of the Defence of India rules with imprisonment which may extend to 3 years and persons committing such an offence may therefore be arrested without a warrant. But when the offence consists in selling grains at prices higher than those fixed by Government which are punishable with imprisonment which may extend only to 6 months, the offenders cannot be arrested without a warrant.

There is no provision in the rules for the confiscation of the grains attempted to be illegally exported but they may be commandeered if such a course is considered desirable.

26/2

Chief Secy. to Govt.

To
The Revenue
The Dy of Police
The Food Controller
The Presidents of the Bangalore & Mysore City Municipalities
The Dy Comr - Chickaballapur Dt
The Dy Comrs of other Dts

2/3/42